GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1565
ANSWERED ON:27.11.2007
MERCY PETITION
Kaushal Shri Raghuvir Singh;Singh Kunwar Rewati Raman

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details of cases pending as on date for pardon where courts have awarded death sentence;

(b) the details of such cases disposed of during the last three years, till date;

(c) whether the Government has formulated any guidelines for waiver of the death penalty and time-frame policy for taking a decision in such matters;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI)

(a): A statement containing the details of mercy petitions pending as on November 21, 2007 is enclosed as Annexure.

(b): Only in the case of Kheraj Ram, a condemned prisoner from Rajasthan, the death sentence awarded by the court has been commuted into that of life imprisonment by the Hon'ble President of India in the year 2006.

(c) to (e): No specific guidelines and time limit can be prescribed for examining the mercy petitions as the power under Article 72 of the Constitution is of the widest amplitude, can contemplate myriad kinds and categories of cases with facts and situations varying from case to case. However, the broad guidelines generally considered while examining the mercy petitions relate to personality of the accused such as age, sex or mental deficiency or circumstances of the case, conduct of the offender, medical abnormality falling short of legal insanity and so on.